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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,715	10/11/2001	Robert E. Haines	10007587-1	2479

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EXAMINER

ENGLAND, DAVID E

ART UNIT PAPER NUMBER

2143

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/976,715

Applicant(s)

HAINES, ROBERT E.

Examiner

David E. England

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32, 34 and 35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32, 34, 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 34 are presented for examination.

Claim Objections

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 34 and 35 have been renumbered 33 and 34.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “device discovery plug in to poll peripheral devices on the network to identify their addresses” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing

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should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1, 3, 4, 7, 8, 10, 11, 14, 15, 17, 20, 21, 23, 24, 27, 28, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zintel (6779004) (hereinafter Zintel) in view of Butt et al. (6754829) (hereinafter Butt).

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7. Referencing claim 1, as closely interpreted by the Examiner, Zintel teaches a method of device discovery comprising:

8. downloading a device discovery plug in, (e.g. col. 2, lines 29 – 56);

9. activating the device discovery plug in to discover peripheral devices on the network with the device discovery plug in, (e.g. col. 2, lines 29 – 56); and

10. transmitting data describing peripheral devices discovered by the device discovery plug in, (e.g. col. 2, lines 29 – 56), but does not specifically teach downloading a plug in via a network using a network browser. Butt teaches downloading a plug in via a network using a network browser, (e.g. col. 8, line 59 – col. 9, line 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Butt with Zintel because utilizing a browser for a user friendly environment could enable a user to find the specific plug-ins that are needed.

11. Referencing claim 3, as closely interpreted by the Examiner, Zintel teaches activating the device discovery plug in comprises activating the device discovery plug in to collect data describing hard copy output engines, (e.g. col. 45, lines 23 – 44).

12. Referencing claim 4, as closely interpreted by the Examiner, Zintel teaches activating the device discovery plug in comprises activating the device discovery plug in to collect data describing hard copy output engines selected from a group consisting of: facsimile machines, photocopiers and printers, (e.g. col. 45, lines 23 – 44).

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13. Referencing claim 7, as closely interpreted by the Examiner, Zintel teaches downloading and activating includes starting a web browser, directing the web browser to a web site associated with a vendor, downloading the device discovery plug in from the vendor web site with the browser and activating the device discovery plug in with the web browser, (e.g. col. 51, lines 12 – 35).

14. Referencing claim 30, as closely interpreted by the Examiner, Zintel teaches transmitting data describing peripheral devices comprises transmitting the data to a vendor website, (e.g., col. 8, line 54 – col. 9, line 5).

15. Referencing claim 31, as closely interpreted by the Examiner, Zintel teaches storing the data describing the peripheral devices in association with the vendor website, (e.g., col. 51, lines 12 – 35, “*drivers*”).

16. Claims 8, 10, 11, 14, 15, 17, 20, 21, 23, 24, 27 and 28 are rejected for similar reasons as stated above.

17. Claims 2, 9, 18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zintel and Butt as applied to claims 1, 8, 15 and 21 above, and in further view of Pang et al. (6804718) (hereinafter Pang).

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18. Referencing claim 2, Zintel does not specifically teach downloading comprises downloading the device discovery plug in across a firewall from a web site associated with a vendor. Pang teaches downloading comprises downloading the device discovery plug in across a firewall from a web site associated with a vendor, (e.g. col. 12, lines 47 – 51). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Pang with Zintel because utilizing a firewall adds security to a system and filters out users and/or data that is not permitted into the network.

19. Claims 9, 18 and 22 are rejected for similar reasons as stated above.

20. Claims 5, 6, 12, 13, 16, 19, 25, 26 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zintel and Butt as applied to claims 1, 8, 15 and 21 above, and in further view of Sharpe, Jr. et al. (5960214) (hereinafter Sharpe).

21. Referencing claim 5, Zintel does not specifically teach activating the device discovery plug in comprises activating the device discovery plug in to collect data chosen from a group consisting of: model and serial number information and included options from an embedded web server contained in the discovered peripheral devices.

22. Sharpe teaches activating the device discovery plug in comprises activating the device discovery plug in to collect data chosen from a group consisting of: model and serial number information and included options from an embedded web server contained in the discovered peripheral devices, (e.g. col. 15, lines 10 – 30). It would have been obvious to one of ordinary

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skill in the art at the time the invention was made to combine Sharpe with Zintel because organizing a plug in by a specific parameter when searching for a specific plug in, it would make the search more efficient for the user to find the specific plug in if the plug ins were organized in specific groups, (e.g. serial numbers, and models).

23. Referencing claim 6, as closely interpreted by the Examiner, Zintel does not specifically teach organizing collected data into logical groups. Sharpe teaches organizing collected data into suitable groups, (e.g. col. 6, lines 17 - 40, "*database*"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharpe with Zintel because of similar reasons stated above.

24. As per claim 32, as closely interpreted by the Examiner, Zintel and Butt do not specifically teach organizing collected data into suitable groups comprises organizing the collected data according to an internal business structure associated with the network. Sharpe teaches the act of organizing collected data into suitable groups comprises organizing the collected data according to an internal business structure associated with the network through the utilization of group assigned names, (e.g., col. 20, lines 23 – 43). It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Sharpe with the combine system of Zintel and Butt and because it is well know in the prior art of record that organizing information in a database by a specific field can aid in the viewing groups of information by topic or reference as opposed to searching through numerous files with no origination.

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25. Claims 12, 13, 16, 19, 25 and 26 are rejected for similar reasons as stated above.

26. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zintel and Butt as applied to claim 1 above, and in further view of Garland et al. (6674764) (hereinafter Garland).

27. As to claim 29, as closely interpreted by the Examiner, Zintel and Butt do not teach activating the device discovery plug in comprises activating the device discovery plug in to poll peripheral devices on the network to identify their addresses. Garland teaches activating the device discovery plug in comprises activating the device discovery plug in to poll peripheral devices on the network to identify their addresses, (e.g. col. 4, lines 15 – 33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Garland with the combine system of Zintel and Butt because polling and using a database aids in keeping an effective, accurate and current tracking of customer DNs versus telemetry devices and device type and capability.

28. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zintel, Butt and Sharpe as applied to claims 1 and 6 above, and in further view of Baker et al. (6405204) (hereinafter Baker).

29. As to claim 33, as closely interpreted by the Examiner, Zintel, Butt and Sharpe do not specifically teach identifying a purchase authorizer for each group. Baker teaches identifying specific parameters of groups which can be utilized to identify purchase authorizer for each

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group, (e.g., col. 4, lines 14 – 49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Baker with the combine system of Zintel, Butt and Sharpe because of other similar properties that are found in databases discussed above, databases having the ability to differentiate between other information using fields that distinguish them.

30. Claim 34 is rejected for similar reasons as stated above.

Response to Arguments

31. Applicant's arguments with respect to claims 1 – 34 have been considered but are moot in view of the new ground(s) of rejection from limitations, “downloading a device discovery plug in via a network using a network browser,” “activating the de4vice discovery plug in to discover peripheral devices on the network with the device discovery plug in.” and newly added claims 28 – 34.

Conclusion

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

33. a. Dunphy et al. U.S. Patent No. 6484182 discloses Method and apparatus for publishing part datasheets.

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34. b. Ruberg U.S. Patent No. 6895588 discloses Remote device access over a network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912.

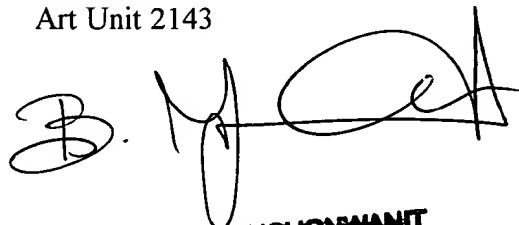
The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England
Examiner
Art Unit 2143

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**BUNJOD JAROENCHONWANT
PRIMARY EXAMINER**